



FEMA

FINDING OF NO SIGNIFICANT IMPACT
Clallam Bay Park Footbridge and Trail Relocation
Washington State Parks/Clallam County Public Works
FEMA-DR-1499-WA PW-231 & 294

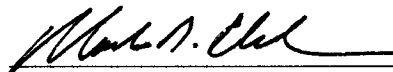
The Washington State Parks and Recreation Commission (State Parks) and Clallam County Public Works Department (County), Washington, have applied through the Washington State Emergency Management Division (EMD) to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) for assistance to relocate and repair the Clallam Bay Park footbridge and trail. The footbridge and trail were damaged during the October 15-23, 2003 severe storms and flooding. The event was declared a presidential disaster on November 7, 2003 (FEMA-1499-DR-WA). FEMA is proposing to fund 75 percent of the cost for this project through its Public Assistance program.

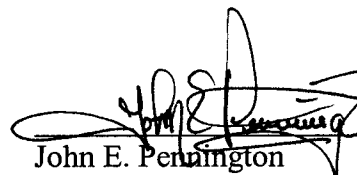
In accordance with the National Environmental Policy Act (NEPA) of 1969 and FEMA's implementing regulations, FEMA prepared a Draft Environmental Assessment (EA) to identify and evaluate potential environmental impacts resulting from the alternatives presented in the EA and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). Alternatives evaluated in the EA include: (1) Relocate the Clallam County Park Bridge and Trail (Preferred Alternative); (2) Repair the Clallam County Park Footbridge and Trail at Existing Location; and (3) No Action Alternative. A Draft EA was prepared submitted for public review and comments. FEMA received no comments identifying any significant issues on the draft EA and will finalize the EA.

FINDINGS

Based upon the attached conditions and EA and in accordance with FEMA's regulations in 44 Code of Federal Regulations (CFR) Part 10 for environmental consideration, including Executive Orders (EOs) addressing floodplains (EO 11988), wetlands (EO 11990) and environmental justice (EO 12898), FEMA determined the proposed project with the prescribed conditions will not significantly affect the quality of the natural and human environment. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10.8) and the project as described in the attached EA may proceed.

APPROVAL


Mark G. Eberlein
Regional Environmental Officer
FEMA Region 10
8-4-05
Date


John E. Pennington
Regional Director
FEMA Region 10
8/4/05
Date

PROJECT CONDITIONS AND CONSERVATION MEASURES

General:

The applicants shall obtain all required local, state, tribal and federal permits and approvals prior to implementing the Preferred Alternative and comply with any and all conditions imposed. This may include, but is not limited to: USACE permits, WDFW Hydraulic Project Approval (HPA), shoreline management permits and water quality certifications.

The applicant is responsible for selecting, implementing, monitoring and maintaining Best Management Practices (BMPs) to control erosion and sediment, reduce spills and pollution, and provide habitat protection.

Floodplain /Wetland/Water Quality:

The bridge and ramp superstructure shall be designed to withstand lateral and buoyant forces with debris factors.

The new trails would be constructed "at grade" and with gravel surfaces.

The bridge structure (beams and deck) would be elevated above the 100-year flood level (plus a debris allowance).

Exposed soils shall be revegetated with native materials. Selection shall include evaluation of soils, moisture, water forces, and sun.

Remove the creosote pilings and abutment material and revegetate the exposed areas at the existing site.

Remove the Fitzpatrick bridge abutments and revegetate the exposed areas.

Bald Eagle:

No work is allowed within the line of site from an eagles' nest from January 1 to August 15.

Marbled Murrelet:

The daily work window will be limited to the period between 1 hour after sunup to 1 hour before sunset.

EFH (The following conditions have been developed during the establishment of biological consensus with WDFW, the LEKT and Makah Fisheries for EFH):

TIMING LIMITATIONS: The project may begin August 1, 2005 and shall be completed by December 31, 2005, provided: Work below the OHWM shall not occur once the high flows of fall have caused the river mouth to reconnect with Clallam Bay, for the protection of migrating adult salmonids (generally October 15).

NOTIFICATION REQUIREMENT: The permittee or contractor shall notify the WDFW Area Habitat Biologist (AHB), the LEKT, and Makah Fisheries of the project start date. Notification shall be received at least three working days prior to the start of construction activities. The notification shall include the permittee's name, project location, starting date for work, and the control number(s) for the HPA.

Work shall be accomplished per plans and specifications submitted to the WDFW, except as modified by the HPA process. These plans would reflect design criteria per Chapter 220-110 WAC and would include mitigation procedures to significantly reduce or eliminate impacts to fish resources. A copy of these plans shall be available on site during construction. (NOTE: These plans should include details of trail alignment, topography, wetland delineation, location and number of piling, length and width of bridge and other spanning structures, and locations and details of mitigation areas, specifically removal of the existing bridge abutment and fill, removal of the asphalt on the island, removal of garbage in the wetland, and removal of the old Fitzpatrick Bridge abutments and fill, plus other mitigation as agreed to. Square footage of mitigation should be depicted along with square footage of impact. It should also show the construction route to the island (aka sand spit). The plans do not need to include engineered construction details for HPA purposes.

The bridge and trail project shall be designed and located to prevent constriction (either laterally or vertically) of the floodplain or existing or future channels (i.e., the old Clallam River channel). The trail shall either be elevated to allow sufficient passage of water up to the OHWM or built at existing grade, so that flood storage capacity or conveyance is not reduced by the project.

All new piling shall be steel and shall be driven using vibratory equipment. Bridge construction and design will be needed as to minimize the number of piles in the water, and minimize the number of piles on or along the sloped banks or slope break of the potential future active channel of the Clallam River. That is, piles near the bridge ends should be placed well back from the edge of the potential active channel.

The existing creosote treated pilings at the existing footbridge shall be removed using vibratory equipment and disposed of upland such that they do not enter waters of the state. Removal of additional creosote piles upstream of the existing footbridge could also be included as a mitigation measure, depending on mitigation needs.

Equipment to access the south (town) side of the project shall be operated from existing developed uplands or from the approved trail location.

Equipment used to access the north (island/spit) side of the project shall be confined to an upland route along the sand spit that connects the island to the mainland in the vicinity of the Spring Tavern. This route shall avoid the OHWM of Clallam Bay by at least 10 feet (measured horizontally, as long as the OHWM is accurately determined especially along the flat areas. Woody debris along this route may be temporarily relocated and replaced when construction is completed, as long as it is not currently embedded or buried below the surface of ground.

Equipment operation on the island/spit shall be limited to the above access route, the footprint of the existing paved areas, and the approved trail location.

Tracks of equipment shall not enter the water. Equipment shall be kept free of petroleum products (except to fuel and lubricate in accordance with manufactures instructions), invasive plants, soil, or other contaminants.

Bed material, other than material excavated when removing fill or asphalt, shall not be utilized for project construction or fills.

Excavated materials shall not be stockpiled below the OHWM or in wetlands outside of the approved equipment operation corridors. All excavated material (abutment fill, asphalt, creosote wood) needs to be end hauled to an appropriate location.

Beach area depressions created during project activities shall be reshaped to pre-project beach level upon project completion.

All trenches, depressions, or holes created in the beach area shall be backfilled prior to inundation by tidal waters.

All manmade debris in the wetland, along the trail location and access corridors, or on the beach that is encountered during excavation or construction shall be removed and disposed of upland such that it does not enter waters of the state.

All exposed slopes shall be covered with natural fiber mesh, shall be hydroseeded with non-invasive grass seed, and shall be re-vegetated with natural vegetation according to Department of Ecology guidelines (used in the HPA).

Removal or destruction of overhanging bankline vegetation shall be limited to that necessary for the construction of the project.

Intertidal wetland vascular plants shall not be adversely impacted due to project activities (e.g., equipment shall not operate, and other activities shall not occur in intertidal wetland vascular plants). If such vegetation is adversely impacted, it shall be replaced using proven methodology.

All natural habitat features on the beach larger than 12 inches in diameter, including trees, stumps, and logs, shall be retained on the beach following construction. These habitat features may be moved during construction if necessary, as long as they are not currently embedded.

In the event trees larger than 12 inches in diameter would need to be removed from the approved alignment of the trail, they shall be placed in the water below the vegetation line and anchored securely to screw-in type soil anchors sufficient in size and number to secure them in place.

Equipment shall be operated from uplands, from the approved trail route, or from pads.

Project activities shall be conducted using appropriate BMPs to minimize siltation or any sediment delivery to the beach area and bed and channels or water below the OHWM.

Project activities shall not degrade water quality to the detriment of fish life.

If a fish kill occurs or fish are observed in distress, the project activity shall immediately cease and WDFW Habitat Program shall be notified immediately.

Sawdust, drillings, trimmings, or breakage from treated wood shall be contained with tarps or other impervious materials and prevented from contacting the beach, bed, or waters of the state.

Material burning is not allowed below the OHWM.

All trails (both sides) shall have low fence barriers to at least partially restrict or deter human access to the surrounding floodplain and habitat surrounding the trail on both sides of the estuarine lagoon to maintain the integrity of floodplain vegetation.

Remove fill back to the natural grade at the existing bridge site and pull all creosote log piles and revegetate the surface with conifers (i.e., spruce) and other natural vegetation.

Remove the existing asphalt at the existing picnic area and possibly use it as trail ballast on the sand spit.

Remove all old pipe and other debris (as a result of human activity) on both sides of the estuarine lagoon within reasonable reach of the project area.

Revegetate the sand spit area where asphalt is removed and revegetate (i.e., spruce). Other reforestation mitigation maybe required through the permit process.

Remove the abutments of the old Fitzpatrick bridge site and revegetate to compensate for impacts to wetlands from the proposed project, as determined by USACE permitting for the project.